

TOWN OF CLARKSON ZONING BOARD OF APPEALS MEETING

**Held at the Clarkson Town Hall
Wednesday, June 18, 2025, at 7:00 PM**

Board Members

Conrad Ziarniak, Chairperson
Joseph Perry
Howard Henick
Peter Connell
Colleen Mattison

Support Staff

Keith O'Toole, Town Attorney*
Kevin Moore, Code Enforcement*
Andrea Rookey, Building Department Clerk

Excused *

CALL TO ORDER:

C. Ziarniak called the Zoning Board meeting to order at 7:00 p.m. and led all those present in the Pledge of Allegiance with a moment of silence for veterans and first responders.

PUBLIC HEARING:

Applicant: Steven Martin

Property Owner: Steven Martin

Address: 128 Delaina Rose Circle

Zoning: RS-10

Applicant requesting an area variance for a shed not in accordance with Town Code 140-19M.

Corner lots and through lots. For the purposes of regulating the locations of buildings on corner lots and on lots extending through or between two nonintersecting streets, all buildings on a corner lot or a through lot shall be subject to the front yard requirements of the zoning district in which said corner lot or through lot is located on those sides which face the streets. 140-18.2A

General requirements. Accessory uses and structures shall meet all of the following requirements

(3) Front yards. They shall not be located in any required front yard area.

C. Ziarniak read the Legal Notice aloud for the public present

C. Ziarniak noted that there was no public present

C. Ziarniak asked A. Rookey if there were any public comments or concerns

A. Rookey said no

C. Ziarniak motioned to close the Public Hearing

H. Henick seconded

Unanimously carried

C. Ziarniak asked if the old shed was removed

K. Martin said yes

C. Ziarniak read the questions for determination aloud

1. What benefit will be derived by the applicant who is seeking this variance?

H. Martin said that they have been using the garage for now.

2. What undesirable changes will be produced in the character of the neighborhood by the granting of the area variance?

K. Martin said it will match the house

3. What other methods does the applicant have to achieve the benefit other than the area variance?

K. Martin said that there would not be another place to put the proposed shed without getting a variance

4. Is the requested area variance substantial?

K. Martin said that this would be a significant variance

5. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

K. Martin said that the trees and fence block the shed from being seen on Lake Road.

6. Was the alleged difficulty self-created? Note: If the difficulty was self-created, it is relevant to the decision of the ZBA but does not necessarily preclude the granting of an area variance.

K. Martin said that she believed this was not self-created

C. Ziarniak asked what the material of the roof was

K. Martin said that it was metal

C. Ziarniak said that the peak height was submitted and stated it was 11 ft to the peak.

C. Ziarniak asked if there were any questions or concerns from the board.

J. Perry said that he spoke about lighting at the last meeting, for lighting to face the North or East side. The landscape barrier would be maintained; due to the size the shed would remain noncommercial use.

C. Ziarniak asked the six questions for determination as a board

1. What benefit will be derived by the applicant who is seeking this variance?

C. Ziarniak agreed that the benefit the applicant answered was justified and it would prevent the equipment from being stored outside.

2. What undesirable changes will be produced in the character of the neighborhood by the granting of the area variance?

C. Ziarniak said that the existing landscape buffer is a mitigating factor

3. What other methods does the applicant have to achieve the benefit other than the area variance?

C. Ziarniak agreed with the applicant, that there is no feasible method that does not also require a variance.

4. Is the requested area variance substantial?

C. Ziarniak mentioned that the area variance is substantial.

5. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?

C. Ziarniak said no

6. Was the alleged difficulty self-created? Note: If the difficulty was self-created, it is relevant to the decision of the ZBA but does not necessarily preclude the granting of an area variance.

C. Ziarniak said that the unique design of the lot was not the owner but the engineer who created the lot.

C. Ziarniak motioned SEQRA was determined a type II action and not subject to further environmental review

J. Perry seconded

Unanimously carried

H. Henick motioned to approve the shed with the following conditions;

1. Any illumination or lighting cannot go onto the neighboring properties
2. The shed is to remain the same, no lean-to
3. Landscape buffer shall be maintained
4. No commercial use allowed
5. The lawn between the house and the shed shall be maintained

P. Connell seconded

Unanimously carried

REVIEW MINUTES:

C. Mattison motioned to approve the minutes with a correction from June 4, 2025

J. Perry seconded

Unanimously carried

ADJOURNMENT:

C. Ziarniak motioned to adjourn at 7:50PM

H. Henick seconded the motion

Unanimously carried

NEXT MEETING:

The next meeting of the Zoning Board of Appeals will be Wednesday, July 2, 2025, at 7:00 PM held at the Town Hall.

*Respectfully submitted,
Andrea Rookey*